

COMMISSION MEETING MINUTES
December 15, 2015

The Board of Davis County Commissioners met on December 15, 2015 at 10 am in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Members present were: Commissioner P. Bret Millburn - Chair, Commissioner John Petroff, Jr., Commissioner Jim Smith, Clerk/Auditor Curtis Koch, Chief Deputy Civil County Attorney Neal Geddes, and Deputy Clerk/Auditor Janet Hanson.

Agenda as posted

Agenda as posted:

PUBLIC NOTICE is hereby given that the Board of Davis County Commissioners, Farmington, Utah, will hold a Commission Meeting at the Davis County Administration Building, 61 South Main Street, Room 303, Farmington, Utah, commencing at **10:00 A.M. on December 15, 2015.**

OPENING

Pledge of Allegiance – By Invitation

RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS

BUSINESS/ACTION

Cancellation of the Meeting of the Board of Davis County Commissioners on December 29, 2015

Barry Burton, Davis County Planning Director acting as Art Advisory Committee Chair, presenting:

Request for reappointments and appointment of Davis County Art Advisory Committee members

Chief Deputy Kevin Fielding, Davis County Sheriff's Office, presenting:

Grant application with Utah Div. of Emergency Management – FY 2016 Hazardous Materials Emergency Preparedness (HMEP) Grant (receivable)

Adam Wright, Davis County Public Works Director, presenting:

Amendment with Jones & Associates – to include construction management services for Farmington Creek-650 West & State (Clark Lane) Box Culvert Project (payable)

Brian Hatch, Davis County Health Department Interim Director, presenting:

Agreement with Meals on Wheels America – mutual non-disclosure for parties to share information in the course of a business relationship that is confidential, non-public, or proprietary (n/a)

Mack McDonald, Davis County Facilities Director, presenting:

Agreement with Schoonmaker Electro Mechanical, Inc. – boiler upgrade for North Branch Library (payable)
Notice of Award for annual fire alarm and sprinkler inspections to System Service Specialist
Notice of Award for custodial services to Vanguard Cleaning Systems

Commissioner Smith presenting:

Ordinance enacting Section 2.48.090A, Davis County Code, which establishes the Public Land Corner Preservation Fund and Related Fees
Amendment with Utah Division of Substance Abuse & Mental Health – local authority match fund decrease for FY2016 Substance Abuse (payable)

Commissioner Petroff presenting:

Summary list of rental agreements at the Legacy Event Center (19) (receivable)
Summary list of animal adoption agreements for November 2015 (117) (receivable)

Commissioner Millburn presenting:

Resolution approving Interlocal Cooperation Agreement for Justice Court Services between Davis County and Kaysville City
Interlocal Cooperation Agreement with Kaysville City – for Justice Court Services (payable/receivable)
Notice of Annual Meeting Schedule (2016) of the Board of Davis County Commissioners
Annual Rotation of Chair and Vice-Chair of the Board of Davis County Commissioners

BOARD OF EQUALIZATION

Request approval of the Property Tax Register

CONSENT ITEMS

Meeting Minutes
Personnel Register
Check Registers

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

Max Elliott, Davis County Surveyor, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

In order to accommodate the Sheriff's Office, Commissioner Millburn changed the order of the "Business/Action" items to be addressed. He invited Sergeant Bruch to address the Sheriff's Office's business

item and to explain about his full dress uniform.

Deputy Bob
Hunt’s funeral
today

Sergeant Ellis Bruch. Davis County Sheriff’s Office, explained retired Deputy Bob Hunt had recently passed and today was his funeral. He explained Bob was a leader, and provided guidance. His specialty was processing crime scenes and the crime lab. He was a small man in stature but a giant in many ways. He always took the time and the opportunity to train others whether it was with crime scenes or firearms.

Grant application
#2015-600 UT
Div Emergency
Management –
FY16 HMEP

Sergeant Bruch presented grant application #2015-600 with Utah Division of Emergency Management for FY2016 Hazardous Materials Emergency Preparedness (HMEP) Grant. If awarded the funds will be used toward LEPC costs and supplies. Receivable amount is \$3,445.00 with a 20% local match of \$689.00.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Vote to cancel
12/29/15 meeting

It has come to the Commissions’ attention that when a meeting is canceled or rescheduled a vote must be taken. Commissioner Millburn presented the proposed cancelation of the meeting of the Board of Davis County Commissioners on December 29, 2015.

Commissioner Petroff made a motion to cancel the December 29, 2015 meeting. Commissioner Smith seconded the motion. All voted aye.

D C Art
Advisory
Committee
reappointments
and appointment

Barry Burton, Davis County Planning Director acting as the Davis County Art Advisory Committee Chair, presented the following request for reappointments and appointments of Davis County Art Advisory Committee members:

Emma Dugal, Carol Merrill-Flitton and Neal Geddes to be reappointed to 3-year terms from January 1, 2016 through December 31, 2018.

In accordance to the by-laws, the Committee has a representative from the library system. Ellen Peterson, Syracuse Branch Librarian, be appointed to a 3-year term from January 1, 2016 through December 31, 2018.

Sheryl Allen and Chris Sanford, Davis County Library Director, will no longer be serving on the committee and will be sent a letter of gratitude for their admirable service.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye.

Amendment
#2015-516A
Jones & Assoc –
construction
management

Adam Wright, Davis County Public Works Director, presented amendment #2015-516A with Jones & Associates to provide construction management services to the Farmington Creek – 650 West & State (Clark Lane) box culvert project. It was felt that as they did the engineering design work that it would be beneficial for them to oversee the project, thus eliminating unnecessary change orders. Period of contract is through entirety of project. Payable amount is \$16,472.00 (inclusive of \$3,270.00 FEMA regulatory approval).

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Non-disclosure
agreement
#2015-601 Meals
on Wheels
America

Brian Hatch, Davis County Health Department Interim Director, presented agreement #2015-601 with Meals on Wheels America for mutual non-disclosure for parties to share information in the course of a business relationship that is confidential, nonpublic or proprietary. He explained they are in discussion with them to explore the possibility of billing insurance for those that have been released from the hospital. During those discussions there may be private information divulged. Period of contract is through December 31, 2018. No monies are exchanged.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All

voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2015-565
Schoonmaker
Electro
Mechanical
boiler
replacement NB
Library

Mack McDonald, Davis County Facilities Director, presented the following:

Agreement #2015-565 with Schoonmaker Electro Mechanical, Inc. for the boiler upgrade at the North Branch Library (Clearfield). Period of contract is for 1-year. Payable amount is \$127,841.00.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Notice of Award
#2015-602
System Service
Specialist fire
alarm & sprinkler
inspections

Notice of Award #2015-602 to System Service Specialist for the annual fire alarm and sprinkler inspections. They were found to be the most responsive bidder of RFPs that were opened on September 29, 2015. Bid amount \$11,000.00 for the inspection. In the future, there will be some additional costs to change-out fire sprinklers that are over 20 years old.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Notice of Award
#2015-603
Vanguard
Cleaning System
for custodial
services

Notice of Award #2015-603 to Vanguard Cleaning Systems for custodial services. Bids were opened on November 24, 2015. Bid amount \$274,394.00. Mack explained this is for all in-house custodial services to be out-sourced. With this come some implications of 24 part-time employees being let go. Four merit employees will continue performing custodial services and oversight in the Administration Building, Memorial Courthouse and the CJC (due to their client base). This will reduce the overall custodial costs by half. In three years, it is anticipated to save approximately \$600,000.00 by out-sourcing custodial services. Commissioner Smith hoped that the vendor would consider hiring those that were let go by the County. Commissioner Millburn expressed his appreciation to Mack for the due diligence he performed in this regard and being a good steward of tax payer dollars. Inclusive of that is taking care of the assets the County has. It is not easy when it impacts individual's lives.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Ordinance
#7-2015 establish
Public Land
Corner
Preservation
Fund

Commissioner Smith presented Ordinance #7-2015 enacting Section 2.48.090A of the Davis County Code, which establishes the Public Land Corner Preservation Fund and related fees.

Commissioner Smith asked Max Elliott, Davis County Surveyor, to explain the proposed ordinance regarding the Public Land Corner Preservation Fund. Max indicated that during the 2015 Legislative Session, Representative Ralph Okerland revised the survey bill to emphasize the need throughout the state of protecting section corners and quarter-section corners. He said that all the properties in the United States are tied to section corners and quarter-section corners. When these corners are lost it makes it very difficult for individuals whose properties are affected. He said the State of Utah is going in the right direction by encouraging this Preservation Fund. The reason the proposed ordinance is important to Davis County is that, according to the legislation, "The (state) committee shall disperse (after they have let out these monies each year) any remaining funds equally among all counties that have established a dedicated monument preservation fund by ordinance as provided by Section 17-23-19." Max felt we should take advantage of this legislation and obtain any available funds. He continued to read, "The funds are to be used strictly for the maintenance and preservation of monuments." aka corners. He indicated that 70% of the Surveyor's Office's work is for the preservation of corners. He recommended approval of the ordinance in order to establish the Preservation Fund to be eligible to obtain monies.

Commissioner Smith indicated in his life as a banker, he has looked at a lot of meets-and-bounds descriptions and that they are all tied to a corner. Davis County needs to make sure the corners are there. One thing that came to mind as they were discussing this preservation fund was the possibility of using these funds

to go out to Antelope Island to preserve those corners. Max said if they had the opportunity to work out at the Island they would find time to do it and work their other loads around it. Max explained that in 1875 Antelope Island was surveyed. In 1855 the valleys were surveyed. In 1855, they used posts which didn't last because they deteriorated. In 1875, they used stones. Over the years, having been out at Antelope Island, 60%-70% of those stones are still in place but others need to be located and preserved. Max indicated he would submit ongoing grants to do that on the Island. The Committee may or may not allocate funds to do that. It would be a great thing to have done. Even though it is a state park, he wouldn't be surprised to see private enterprises on the Island in the future. The associated monies would go into this preservation fund rather than the general funds. They would also apply for funds from the State that are not used. Commissioner Millburn confirmed that this was a fee that is already being collected but the ordinance would earmark it for this purpose.

Commissioner Smith made a motion to approve the ordinance. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendment
#2015-327B UT
Div SAMH to
decrease local
match

Commissioner Smith presented amendment #2015-327B with the Utah Division of Substance Abuse and Mental Health to decrease the local authority match for FY2016 Substance Abuse. Reduced match amount of (\$75,955.00). The total "match" the Local Authority (Davis County) shall provide during the FY2016 is \$298,401.00.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor's Office.

Summary list
#2015-604 of
rentals at LEC

Commissioner Petroff presented the following:

Summary list #2015-604 of low-dollar receivable rental agreements (19) at the Legacy Events Center.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Summary list
#2015-605
Nov. animal
adoptions

Summary list #2015-605 of animal adoption agreements (117) for November 2015. Commissioner Petroff commended Animal Care & Control's adoption efforts to reduce the number of euthanasians.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Resolution
#2015-606
approving
interlocal
agreement with
Kaysville City
for Justice court
Services

Commissioner Millburn explained the last couple of years, and particularly this year, working through a variety of issues regarding Justice Court. At one point in time it was thought the administration of the court would be switched to another entity, but at the end of the day, Davis County will still administer Justice Court and are in the process of solidifying with those that will be participating in the court. Kaysville City has expressed their interest and appreciated their willingness to continue to be part of that court. He presented the following:

Resolution #2015-606 approving the interlocal cooperation agreement for Justice Court Services between Davis County and Kaysville City.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Interlocal Coop
Agreement
#2015-606
Kaysville City
for Justice Court
services

Interlocal cooperation agreement #2015-606 with Kaysville City for Justice Court Services. Neal Geddes explained it is a joint agreement that they are going to participate in Davis County Justice Court. They will cover their costs of prosecution and any indigent defense costs that they would incur. Davis County will provide the judge and staff. Kaysville will send their cases to Davis County. Period of contract is from January 1, 2016 for no more than 50 years (December 31, 2066). Contact amount is 50/50 of collected fines and/or forfeitures.

Notice of annual meeting schedule for 2016

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

In preparation of the coming year, 2016, Commissioner Millburn presented the following:

**PUBLIC NOTICE OF ANNUAL MEETING SCHEDULE
BOARD OF DAVIS COUNTY COMMISSIONERS
FARMINGTON, UTAH**

Public notice is hereby given that during the year **2016**, the annual meeting schedule of the Board of Davis County Commissioners will be as follows:

Regular meetings of the Board will be held in the Commission Chambers (Room 303) in the Davis County Administration Building, 61 South Main Street, Farmington, Utah, on Tuesday of each week at 10:00 A.M. or as soon thereafter as practical; provided, however, that the regular meeting may be canceled, postponed, or rescheduled upon a majority vote of the Board as the public business requires and the Board deems appropriate. If any meeting falls on a legal holiday, the meeting may be held at the same hour and place on the following day.

Commissioner Petroff made a motion to approve. Commissioner Smith seconded the motion. All voted aye.

Commissioner Smith said that when he was running for office, citizens commented that Commission Meetings are scheduled for a time that is difficult to attend. In years past, there have been some evening meetings conducted that the public still did not attend. These evening meetings were costly to the County by having to pay employees to stay late to transact the business. To make themselves available to the citizens, the commissioner visit the various cities once a month and spend time in their city council meetings. The public is invited to attend. There have been good discussions with city councils by doing this.

Rotation of Chair and Vice-Chair for 2016

Commissioner Millburn said to provide an opportunity to other members of the Board of Commissioners to serve as chair and vice-chair rather than one individual to have the opportunity for years-on-end. According to Resolution #2007-382 each year the rotation of the Chair and Vice-Chair of the Davis County Commission occurs.

Commissioner Millburn made a motion that Vice-Chair Commissioner John Petroff, Jr. will serve as Chair for 2016 and Commissioner Jim Smith to serve as Vice-Chair for 2016. Commissioner Smith seconded the motion. All voted aye.

BOE

Commissioner Petroff made a motion to convene as the Board of Equalization. Commissioner Smith seconded the motion. All voted aye.

Property Tax Register approved

Curtis Koch presented the Property Tax Register which reflected 3 items for consideration of abated taxes; 1 UDOT purchase and 2 veteran abatements.

Commissioner Smith made a motion to approve. Commissioner Petroff seconded the motion. All voted aye.

Reconvene

Commissioner Smith made a motion to reconvene Commission Meeting. Commissioner Petroff seconded the motion. All voted aye.

Meeting minutes approved

Commissioner Petroff made a motion to approve Commission Meeting minutes for November 17 & 24, 2015. Commissioner Smith seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Personnel Register approved

Commissioner Smith made a motion to approve the Personnel Register as presented. Commissioner Petroff seconded the motion. All voted aye.

Check Registers approved

Check Registers as prepared by the Davis County Clerk/Auditor’s Office were approved with a motion by Commissioner Petroff. Commissioner Smith seconded the motion. All voted aye. The documents

Commissioner
comments

are on file in the office of the Davis County Clerk/Auditor.

Commissioner comments:

Commissioner Petroff, referring to the view out of the east window of the snow covered trees and mountains, remarked that it looked like a postcard. It is so beautiful. Sometimes we don’t take the time to enjoy this. It is a beautiful landscape. He recommended stopping to think about it and take the time to look at the beauty of it. It’s a beautiful day and he is grateful for the much needed moisture.

Commissioner Smith indicated he grew up in Los Angeles and didn’t have a lot of snow. He agrees with Commissioner Petroff and thinks the snowy landscape is beautiful. It’s a great place to live. He expressed his appreciation to Public Works, Facilities and law enforcement for a job well done in working with the snow.

Commissioner Millburn echoed those comments. The snow is beautiful and it is nice to have that moisture for water to drink in the future. He would like it paced a little better. He had over 24” in his driveway. Only in Utah. He echoed his appreciation to those who take care of the roadway and clear it. With storms like this you have power outages and people out battling the elements to re-establish power.

Curtis Koch echoed the comments of appreciation for those in public safety. He also welcomes the world to come and enjoy our tourism up on the slopes. It’s even more beautiful up at the resorts. Commissioner Millburn joked that he was pleased to see both Curtis and Neal here this morning, although they may not be here this afternoon.

Neal Geddes said he too was surprised to see himself here this morning. He asked Commissioner Millburn to keep in mind, when he is out shoveling his snow, that he gets 2 wellness points for every half-hour he puts into it. It is not all bad.

No public
comments

No public comments.

Adjourned

Meeting adjourned.

Clerk/Auditor

Chair